

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SYSTEM AND METHOD FOR DISPLAYING SELECTED GARMENTS ON A COMPUTER-SIMULATED MANNEQUIN.**

The specification of which was filed on November 12, 1999 as application serial no. 09/439,225.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

**No such claim for priority is being made at this time.**

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**No such claim for priority is being made at this time.**

I hereby claim the benefit under 35 U.S.C. § 120 or 365© of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**No such claim for priority is being made at this time.**

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Adams, Gregory J.	Reg. No. 44,494	Huebsch, Joseph C.	Reg. No. 42,673	Nielsen, Walter W.	Reg. No. 25,539
Anglin, J. Michael	Reg. No. 24,916	Jurkovich, Patti J.	Reg. No. 44,813	Oh, Allen J.	Reg. No. 42,047
Bentley, Dwayne L.	Reg. No. P-45,947	Kalis, Janal M.	Reg. No. 37,650	Padys, Danny J.	Reg. No. 35,635
Bianchi, Timothy E.	Reg. No. 39,610	Kaufmann, John D.	Reg. No. 24,017	Parker, J. Kevin	Reg. No. 33,024
Billion, Richard E.	Reg. No. 32,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Peacock, Gregg A.	Reg. No. 45,001
Black, David W.	Reg. No. 42,331	Kluth, Daniel J.	Reg. No. 32,146	Perdok, Monique M.	Reg. No. 42,989
Brennan, Leoniede M.	Reg. No. 35,832	Lacy, Rodney L.	Reg. No. 41,136	Polglaze, Daniel J.	Reg. No. 39,801
Brennan, Thomas F.	Reg. No. 35,075	Leffert, Thomas W.	Reg. No. 40,697	Prout, William F.	Reg. No. 33,995
Brooks, Edward J., III	Reg. No. 40,925	Lemaire, Charles A.	Reg. No. 36,198	Schumm, Sherry W.	Reg. No. 39,422
Chu, Dinh C.P.	Reg. No. 41,676	Litman, Mark A.	Reg. No. 26,390	Schwegman, Micheal L.	Reg. No. 25,816
Clark, Barbara J.	Reg. No. 38,107	Lundberg, Steven W.	Reg. No. 30,568	Shaw, Stephen H.	Reg. No. P-45,404
Dahl, John M.	Reg. No. 44,639	Mack, Lisa K.	Reg. No. 42,825	Slifer, Russell D.	Reg. No. 39,838
Drake, Eduardo E.	Reg. No. 40,594	Maki, Peter C.	Reg. No. 42,832	Smith, Michael G.	Reg. No. P-45,368
Eliseeva, Maria M.	Reg. No. 43,328	Malen, Peter L.	Reg. No. 44,894	Speier, Gary J.	Reg. No. P-45,458
Embretson, Janet E.	Reg. No. 39,665	Mates, Robert E.	Reg. No. 35,271	Steffey, Charles E.	Reg. No. 25,179
Fogg, David N.	Reg. No. 35,138	McCrackin, Ann M.	Reg. No. 42,858	Terry, Kathleen R.	Reg. No. 31,884
Fordebacher, Paul J.	Reg. No. 42,546	Nama, Kash	Reg. No. 44,255	Viksmins, Ann S.	Reg. No. 37,748
Forrest, Bradley A.	Reg. No. 30,837	Nelson, Albin J.	Reg. No. 28,650	Woessner, Warren D.	Reg. No. 30,440
Harris, Robert J.	Reg. No. 37,346				

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to **Schwegman, Lundberg, Woessner & Kluth, P.A.** at the address indicated below:  
**P.O. Box 2938, Minneapolis, MN 55402**  
**Telephone No. (612)373-6900**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1 : **Carlos Saldanha**  
Citizenship: **Canada**  
Post Office Address: **416 Des Moulins**  
**St-Hilaire, Quebec J3G 4S6**  
**Canada**

Residence: **St-Hilaire, Quebec, Canada**

Signature: \_\_\_\_\_  
**Carlos Saldanha**

Date: \_\_\_\_\_

Full Name of joint inventor number 2 : **Andrea M. Froncioni**  
Citizenship: **Canada**  
Post Office Address: **11 782 James Morrice**  
**Montreal, Quebec H3M 2G2**  
**Canada**

Residence: **Montreal, Quebec, Canada**

Signature: \_\_\_\_\_  
**Andrea M. Froncioni**

Date: \_\_\_\_\_

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 3 : **Paul A. Kruszewski**

Citizenship: **Canada**

Residence: **Montreal, Quebec, Canada**

Post Office Address: **3841 de Bullion  
Montreal, Quebec H2W 2E2  
Canada**

Signature: \_\_\_\_\_

**Paul A. Kruszewski**

Date: **February 22, 2000**

Full Name of joint inventor number 4 : **Gregory J. Saumier-Finch**

Citizenship: **Canada**

Residence: **Outremont, Quebec, Canada**

Post Office Address: **1309 avenue Bernard #4  
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Signature: \_\_\_\_\_

**Gregory J. Saumier-Finch**

Date: \_\_\_\_\_

Full Name of joint inventor number 5 : **Caroline M. Trudeau**

Citizenship: **Canada**

Residence: **Montreal, Quebec, Canada**

Post Office Address: **7253 St-Andre  
Montreal, Quebec H2R 2P6  
Canada**

Signature: \_\_\_\_\_

**Caroline M. Trudeau**

Date: \_\_\_\_\_

Full Name of joint inventor number 6 : **Fadi G. Bachaalani**

Citizenship: **Canada**

Residence: **Ville St-Laurent, Quebec, Canada**

Post Office Address: **365 de Guire #1402  
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Canada**

Signature: \_\_\_\_\_

**Fadi G. Bachaalani**

Date: \_\_\_\_\_

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Full Name of joint inventor number 7 : **Nader Morcos**

Citizenship: **Canada**

Residence: **Montreal, Quebec, Canada**

Post Office Address: **12 147 boul. St-Germain  
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Signature: \_\_\_\_\_

**Nader Morcos**

Date: \_\_\_\_\_

Full Name of joint inventor number 8 : **Sylvain B. Cote**

Citizenship: **Canada**

Residence: **Laurier-Station, Quebec, Canada**

Post Office Address: **132 Beaudry  
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**Sylvain B. Cote**

Date: \_\_\_\_\_

Full Name of joint inventor number 9 : **Patrick R. Guevin**

Citizenship: **Canada**

Residence: **Verdun, Quebec, Canada**

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Signature: \_\_\_\_\_

**Patrick R. Guevin**

Date: \_\_\_\_\_

Full Name of joint inventor number 10 : **Jean-Francois B. St. Arnaud**

Citizenship: **Canada**

Residence: **Outremont, Quebec, Canada**

Post Office Address: **625 avenue Outremont #15  
Outremont, Quebec H2V 3M8  
Canada**

Signature: \_\_\_\_\_

**Jean-Francois B. St. Arnaud**

Date: \_\_\_\_\_

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Full Name of joint inventor number 11 : **Serge Veillet**

Citizenship: **Canada**

Residence: **Montreal, Quebec, Canada**

Post Office Address: **6716 rue de Lanaudiere  
Montreal, Quebec H3B 3B3  
Canada**

Signature: \_\_\_\_\_

**Serge Veillet**

Date: \_\_\_\_\_

Full Name of joint inventor number 12 : **Louise L. Guay**

Citizenship: **Canada**

Residence: **Outremont, Quebec, Canada**

Post Office Address: **1001 avenue Mont-Royal Ouest #204  
Outremont, Quebec H2V 2H4  
Canada**

Signature: \_\_\_\_\_

**Louise L. Guay**

Date: \_\_\_\_\_

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

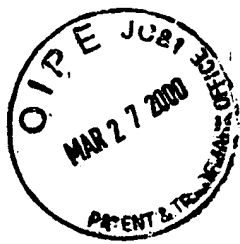
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

© Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

# United States Patent Application

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Billion, Richard E.	Reg. No. 32,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Peacock, Gregg A.	Reg. No. 45,001
Black, David W.	Reg. No. 42,331	Kluth, Daniel J.	Reg. No. 32,146	Perdok, Monique M.	Reg. No. 42,989
Brennan, Leoniede M.	Reg. No. 35,832	Lacy, Rodney L.	Reg. No. 41,136	Polglaze, Daniel J.	Reg. No. 39,801
Brennan, Thomas F.	Reg. No. 35,075	Leffert, Thomas W.	Reg. No. 40,697	Prout, William F.	Reg. No. 33,995
Brooks, Edward J., III	Reg. No. 40,925	Lemaire, Charles A.	Reg. No. 36,198	Schumm, Sherry W.	Reg. No. 39,422
Chu, Dinh C.P.	Reg. No. 41,676	Litman, Mark A.	Reg. No. 26,390	Schwegman, Micheal L.	Reg. No. 25,816
Clark, Barbara J.	Reg. No. 38,107	Lundberg, Steven W.	Reg. No. 30,568	Shaw, Stephen H.	Reg. No. P-45,404
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Drake, Eduardo E.	Reg. No. 40,594	Maki, Peter C.	Reg. No. 42,832	Smith, Michael G.	Reg. No. P-45,368
Eliseeva, Maria M.	Reg. No. 43,328	Malen, Peter L.	Reg. No. 44,894	Speier, Gary J.	Reg. No. P-45,458
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Forrest, Bradley A.	Reg. No. 30,837	Nelson, Albin J.	Reg. No. 28,650	Woessner, Warren D.	Reg. No. 30,440
Harris, Robert J.	Reg. No. 37,346				

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**P.O. Box 2938, Minneapolis, MN 55402**

**Telephone No. (612)373-6900**

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Full Name of joint inventor number 1 : **Carlos Saldanha**

Citizenship: **Canada**

Residence: **St-Hilaire, Quebec, Canada**

Post Office Address: **416 Des Moulins  
St-Hilaire, Quebec J3G 4S6  
Canada**

Signature: \_\_\_\_\_

Carlos Saldanha

Date: \_\_\_\_\_

*Feb. 22, 2000*

Full Name of joint inventor number 2 : **Andrea M. Froncioni**

Citizenship: **Canada**

Residence: **Montreal, Quebec, Canada**

Post Office Address: **11 782 James Morrice  
Montreal, Quebec H3M 2G2  
Canada**

Signature: \_\_\_\_\_

Andrea M. Froncioni

Date: \_\_\_\_\_

*22 of  
Feb 2000*

☒ Additional inventors are being named on separately numbered sheets, attached hereto.



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 3 : **Paul A. Kruszewski**  
Citizenship: **Canada**  
Post Office Address: 3841 de Bullion  
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Residence: **Montreal, Quebec, Canada**

Signature: \_\_\_\_\_  
Paul A. Kruszewski

Date: \_\_\_\_\_

Full Name of joint inventor number 4 : **Gregory J. Saumier-Finch**  
Citizenship: **Canada**  
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Residence: **Outremont, Quebec, Canada**

Signature: \_\_\_\_\_  
Gregory J. Saumier-Finch

Date: 22-Feb-2000

Full Name of joint inventor number 5 : **Caroline M. Trudeau**  
Citizenship: **Canada**  
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Canada

Residence: **Montreal, Quebec , Canada**

Signature: \_\_\_\_\_  
Caroline M. Trudeau

Date: 22 Fevrier 2000

Full Name of joint inventor number 6 : **Fadi G. Bachaalani**  
Citizenship: **Canada**  
Post Office Address: 365 de Guire #1402  
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Canada

Residence: **Ville St-Laurent, Quebec, Canada**

Signature: \_\_\_\_\_  
Fadi G. Bachaalani

Date: 22 Fevrier 2000

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Full Name of joint inventor number 7 : **Nader Morcos**  
Citizenship: **Canada**  
Post Office Address: 12 147 boul. St-Germain  
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Residence: **Montreal, Quebec, Canada**

Signature: Nader Morcos  
Nader Morcos

Date: 22/02/00

Full Name of joint inventor number 8 : **Sylvain B. Cote**  
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Residence: **Laurier-Station, Quebec, Canada**

Signature: Sylvain Cote  
Sylvain B. Cote

Date: 22/02/00

Full Name of joint inventor number 9 : **Patrick R. Guevin**  
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Canada

Residence: **Verdun, Quebec, Canada**

Signature: Patrick R. Guevin  
Patrick R. Guevin

Date: 22/02/00

Full Name of joint inventor number 10 : **Jean-Francois B. St. Arnaud**  
Citizenship: **Canada**  
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Canada

Residence: **Outremont, Quebec, Canada**

Signature: Jean-Francois B. St. Arnaud  
Jean-Francois B. St. Arnaud

Date: 24/2/2000

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

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Full Name of joint inventor number 11 : **Serge Veillet**

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Post Office Address: 6716 rue de Lanaudiere  
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Signature: \_\_\_\_\_

Serge Veillet

Date: \_\_\_\_\_

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Full Name of joint inventor number 12 : **Louise L. Guay**

Citizenship: **Canada**

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Canada

Signature: \_\_\_\_\_

Louise L. Guay

Date: \_\_\_\_\_

23/02/00

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

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- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
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  - (I) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

© Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.